

REMARKS/ARGUMENTS

Claims 1-2, 4-8, and 10-13 are pending herein. Claim 3 and 9 have been canceled without prejudice or disclaimer.

1. The rejection of claims 3 and 9 under §112, first paragraph are noted, but deemed moot in view of the cancellation of claims 3 and 9.

2. Claims 1-13 were rejected under §112, second paragraph. This rejection is respectfully traversed.

The Examiner is correct in asserting that the claims recite a method of forming detection-spots for analyte detection chips. The recitation describing the use of the analyte detection chips within the preamble is intended only to help explain the purpose of the analyte detection chips. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

3. Claims 1,2, 5, 6 and 13 were rejected under §102(b) over WO 99/22867 (WO '867). This rejection is respectfully traversed.

Claim 1 recites, among other things, a method of forming detection spots on the surface of a support, wherein a plurality of injection modules are provided. Each injection module is equipped with a plurality of injection units. The spot forming liquid is jetted simultaneously from the injection units of each injection module toward the surface of a respective support corresponding to the injection modules in order to simultaneously form detection spots on the surface of the supports.

WO '867 discloses, in Figs. 4-6 and the second full paragraph of page 5, a plurality of injection units 38, 40 located on a structure 76 such that each injection unit will create only one spot within each array area 62-70 on a substrate 61. Applicants respectfully submit that WO '867 fails to disclose a plurality of supports. It appears, however, that the Examiner is contending that each of the arrays 62-70 is a support for the purpose of her rejection. Even using this association, however, WO '867 still fails to disclose simultaneously jetting spot-forming liquid from the plurality of injection

units of each injection module towards the surface of a respective support corresponding to the injection module. To the contrary, WO '867 clearly discloses, in Figs. 4-6, the deposition of only one spot per support. Therefore, WO '867 fails to disclose a plurality of injection modules that are provided respectively for a plurality of supports, each injection module being equipped with a plurality of injection units, as recited in claim 1. Applicants respectfully submit that the arguments submitted above distinguish claim 1 from WO '867. Since claims 2, 5 and 6 depend directly from claim 1, those claims are also believed to be allowable over the applied art.

Claim 13 recites, among other things, a method of forming detection spots wherein a plurality of injection modules are provided, each injection module being equipped with a plurality of injection units adapted to jet spot-forming liquid. The spot-forming liquid is jetted simultaneously from the injection units of the respective injection modules toward the plurality of regions corresponding to the injection modules in order to simultaneously form detection spots in a plurality of regions on the surface of the at least one support.

As already discussed above, WO '867 discloses a structure 76 containing a plurality of injection modules 38, 40 that are arranged such that each injection module is jetted to form one spot in each array 62-70 located on a substrate 61. It appears that the Examiner is contending that each of the arrays 62-70 is a region for the purpose of this rejection. In any event, however, WO '867 fails to disclose the simultaneous jetting of liquid from the plurality of injection units of the respective injection modules toward the plurality of regions corresponding to the injection modules in order to simultaneously form injection spots in the plurality of regions corresponding to the injection modules, as recited in claim 13.

In view of the foregoing, reconsideration and withdrawal of this rejection are respectfully requested.

4. Claim 4 was rejected under §103(a) over WO '867 in view of Gamble and/or Hirota. Applicants respectfully submit that the arguments submitted above

distinguish claim 1 from WO '867, and that the secondary references do not overcome the deficiencies of WO '867. Accordingly, since claim 4 depends directly from claim 1, claim 4 is also believed to be allowable over the applied art.

5. Claims 7-8 and 11-12 were rejected under §103(a) over WO '867 further in view of Bass. This rejection is respectfully traversed.

Claim 7 recites, among other things, a method of forming detection spots wherein spot-forming liquid is jetted simultaneously from the injection units of each injection module toward the surface of a single support which faces the injection modules in order to simultaneously form detection spots on the surface of the support. The support is divided into a plurality of pieces.

As discussed above, WO '867 discloses a plurality of injection units 38, 40 located on a structure 76 such that the injection units place one spot in each array area when jetted. With this arrangement, a plurality of spots cannot be formed simultaneously in each of the arrays 62-70 located on the support 61. As stated above, WO '867 clearly discloses, in Fig. 4-6, the deposition of only one spot per support. Therefore, WO '867 fails to disclose a method of forming detection spots wherein the spot-forming liquid is jetted simultaneously from the plurality of injection units of each injection module toward the surface of a single support, as recited in claim 7.

Bass discloses, in Fig. 6, the separation of individual arrays from a substrate. Bass does not disclose, however, a method of forming detection spots wherein the spot-forming liquid is jetted simultaneously from the injection units of each injection module toward the surface of a single support in order to simultaneously form detection spots on the surface of the support, as recited in claim 7. Therefore, Bass fails to overcome the deficiencies of WO '867 in this regard. Accordingly, the combination of WO '867 with Bass would have failed to result in the present invention as recited in claim 7. Since claims 8 and 11-12 depend directly from claim 7, those claims are also believed to be allowable over the applied art. Reconsideration and withdrawal of this rejection are respectfully requested.

6. Claim 10 was rejected under §103(a) over WO '867 and Hirota and/or Gamble and further in view of Bass. Applicants respectfully submit that the arguments submitted above distinguish claim 7 from WO '867. Since the other cited references do not overcome the deficiencies of WO '867, and since claim 10 depends directly from claim 7, claim 10 is also believed to be allowable over the applied art.

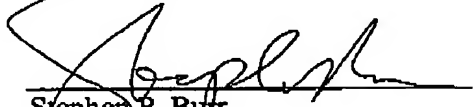
For at least the foregoing reasons, Applicants respectfully submit that all pending claims herein are in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for this application in due course.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

September 6, 2005  
Date

Respectfully submitted,

  
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